

IN THE UNITED STATES BANKRUPTCY COURT
IN THE NORTHERN DISTRICT OF MISSISSIPPI

IN RE:
SAMUEL DOWDEN

393 ROCK HILL RD.

SARDIS MS 38666

BANKRUPTCY NO: 08-11293

NOTICE AND MOTION TO DISMISS

COMES NOW, Locke D. Barkley, the duly appointed and qualified Standing **TRUSTEE** in the above cause and moves to dismiss the above proceeding for the reason that the **DEBTOR** has failed to make payments into the plan as required by Chapter 13 of the Bankruptcy Code.

NOTICE IS HEREBY GIVEN, to the **DEBTOR** herein, that unless the below required sum is received by the **TRUSTEE**, or a written responsive pleading is filed with the Clerk of the Court with a copy to the **TRUSTEE** prior to the below depicted due date, the Chapter 13 proceeding of the above **DEBTORS** will be dismissed.

WHEREFORE, TRUSTEE moves this Court to enter its Order of Dismissal unless said sum is received as set out herein or said responsive pleading is properly filed.

DATED: 9/28/09

AMOUNT DUE: \$ 1016.00
(As of 9/28/09 thru end of October 2009)
Plus accruing payments

Locke D. Barkley
Chapter 13 Trustee
P.O. Box 1859
Memphis, TN 38101-1859
(PAYMENTS ONLY)

Locke D. Barkley
Chapter 13 Trustee
P. O. Box 55829
Jackson Ms 39296-5829
(601) 355-6661
(CORRESPONDENCE)

DATE DUE: 10/19/09

CERTIFICATE OF SERVICE

I, Locke D. Barkley, Standing Trustee, do hereby certify that I have electronically filed the foregoing with the Clerk of Court using CM/ECF system, and hereby further certify that I have served a copy of the foregoing upon the debtor(s), debtor's attorney of record and to the Office of the U.S. Trustee via electronic notice or mail.

DATED: 9/28/09

/s/ Locke D Barkley
LOCKE D. BARKLEY
CHAPTER 13 TRUSTEE

DEBTOR'S ATTORNEY

KEVIN F. O'BRIEN
O'BRIEN LAW FIRM
1630 GOODMAN RD EAST STE 5
SOUTHAVEN MS 38671